
HOUSE BILL No. 1561

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-9-2-93; IC 31-19-22.

Synopsis: Release of adoption information. Permits the release of the name and present address of the sibling of an adoptee if: (1) the adoptee and the sibling are over 21 years of age; and (2) the sibling consents to the release of the sibling's name and present address.

Effective: July 1, 2003.

Herrell

January 16, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1561

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 31-9-2-93 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 93. "Preadoptive
3 sibling", for purposes of:
4 (1) IC 31-19-18;
5 (2) IC 31-19-16.5; ~~and~~
6 (3) **IC 31-19-22; and**
7 (4) IC 31-19-25;
8 means a sibling of an adoptee who is born before the date that the
9 adoptee's adoption is finalized.
10 SECTION 2. IC 31-19-22-2 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. **Except as provided**
12 **in subsection (b)**, the state registrar, the division of family and
13 children, a county office of family and children, a licensed child
14 placing agency, a professional health care provider (as defined in
15 IC 34-6-2-117), and a court shall release identifying information in the
16 entity's possession only if:
17 (1) the information is requested by a person described in



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1 IC 31-19-18-2(a); and

2 (2) the following persons have submitted a written consent under
3 IC 31-19-21 (or IC 31-3-4-27 before its repeal) to the state
4 registrar that allows the release of identifying information to the
5 person requesting the information:

6 (A) The adult adoptee.

7 (B) A birth parent.

8 **(b) The state registrar, the division of family and children, a**
9 **county office of family and children, a licensed child placing**
10 **agency, a professional health care provider (as defined in**
11 **IC 34-6-2-117), and a court shall release the name and present**
12 **location of an adoptee who is at least twenty-one (21) years of age**
13 **or a preadoptive sibling who is at least twenty-one (21) years of**
14 **age, if:**

15 **(1) the information is requested by an adoptee who is at least**
16 **twenty-one (21) years of age or a preadoptive sibling who is at**
17 **least twenty-one (21) years of age; and**

18 **(2) an adoptee who is at least twenty-one (21) years of age or**
19 **a preadoptive sibling who is at least twenty-one (21) years of**
20 **age has authorized the release of the adoptee's or preadoptive**
21 **sibling's name and present location under section 2.1 or 2.2 of**
22 **this chapter.**

23 **SECTION 3. IC 31-19-22-2.1 IS ADDED TO THE INDIANA**
24 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
25 **[EFFECTIVE JULY 1, 2003]: Sec. 2.1. An adoptee who is at least**
26 **twenty-one (21) years of age or a preadoptive sibling who is at least**
27 **twenty-one (21) years of age may submit a written request to the**
28 **state registrar:**

29 **(1) stating an interest in being reunited with any preadoptive**
30 **siblings; and**

31 **(2) authorizing the state registrar to release the name and**
32 **present location of the person submitting the request to any**
33 **preadoptive siblings who make similar inquiries.**

34 **SECTION 4. IC 31-19-22-2.2 IS ADDED TO THE INDIANA**
35 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
36 **[EFFECTIVE JULY 1, 2003]: Sec. 2.2. (a) If an adoptee who is at**
37 **least twenty-one (21) years of age or a preadoptive sibling who is**
38 **at least twenty-one (21) years of age submits a written request to**
39 **be reunited with a preadoptive sibling under section 2.1 of this**
40 **chapter but the preadoptive sibling has not made a similar inquiry,**
41 **the state registrar shall:**

42 **(1) search the sealed adoption records for information**

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concerning the preadoptive sibling; and

(2) if possible, contact and advise the preadoptive sibling of the request unless the preadoptive sibling is less than twenty-one (21) years of age.

(b) If the state registrar locates a preadoptive sibling who is at least twenty-one (21) years of age, the contacted preadoptive sibling shall make the final decision as to whether to release the preadoptive sibling's name and present location to the requesting person.

(c) If the state registrar locates a preadoptive sibling who is less than twenty-one (21) years of age, the state registrar shall contact the:

(1) preadoptive sibling's birth parents if the preadoptive sibling has not been adopted; or

(2) preadoptive sibling's adoptive parents if the preadoptive sibling has been adopted;

for the final determination regarding release of the preadoptive sibling's name and present location to the requesting person.

(d) The state registrar shall notify the requesting person whenever a preadoptive sibling has been located but may not release information about the preadoptive sibling's identity or present location without authorization under this section.

(e) If the preadoptive sibling is deceased or cannot be identified or located under this section, the state registrar shall notify the requesting party but may not release any information that would tend to identify the preadoptive sibling.

(f) In an attempt to discover the identity and present location of a preadoptive sibling, the state registrar shall receive, upon request, any available adoptive information regarding the preadoptive sibling's identity or location that is in the possession of any of the following:

(1) The division of vital records.

(2) The county office of family and children.

(3) A licensed child placing agency.

(4) A professional health care provider (as defined in IC 34-6-2-117).

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